

Chapter 190 Zoning, Subdivision, and Land Development

HISTORY: Adopted by the County Council of Talbot County (INSERT DATE) by Council Bill ___, effective (INSERT DATE).

Table of Contents

Article I	General Provisions.....	8
§ 190-1.	Title.....	8
§ 190-2.	Authority.....	8
§ 190-3.	Purpose.....	8
§ 190-4.	Applicability	11
§ 190-5.	Other laws	11
§ 190-6.	Compliance required.....	11
§ 190-7.	Permits issued in error	12
§ 190-8.	Existing special exceptions and variances	12
§ 190-9.	Zoning districts	12
§ 190-10.	Chesapeake Bay Critical Area	13
§ 190-11.	Zoning maps	14
§ 190-12.	Decision-making bodies and officials.....	16
Article II	Base Zoning Districts.....	22
§ 190-13.	Rural Cluster Districts	22
§ 190-14.	Residential, Village Center and other Rural Districts.....	26
§ 190-15.	Commercial and Industrial Districts	34
Article III	Land Uses	36
§ 190-16.	General Table of Land Uses	36
§ 190-17.	Regulations for specific land uses	52
§ 190-18.	Agricultural Processing.....	53
§ 190-19.	Agricultural Research Facilities (commercial)	53
§ 190-20.	Agricultural Uses and Structures: Poultry and Hog Houses Larger than 1,500 Square Feet on Parcels Smaller Than 20 Acres	53
§ 190-21.	Agricultural Uses and Structures: Poultry and Hog Houses, Livestock Feeding Lots and Agricultural Lagoons	53

§ 190-22.	Agriculture Uses and Structures, Accessory.....	53
§ 190-23.	Animal Hospital, Veterinary Clinic and Associated Boarding of Animals	54
§ 190-24.	Antenna Tower for Essential Communications	54
§ 190-25.	Antenna Tower for Radio and Television Transmissions and Other Non-essential Radio Communications.....	54
§ 190-26.	Aquaculture (retail).....	54
§ 190-27.	Aquaculture (wholesale)	55
§ 190-28.	Auction House	55
§ 190-29.	Automobile Service, Repair, Washing, and Fuel Sales	55
§ 190-30.	Bed-and-Breakfast	55
§ 190-31.	Boat and Marine Equipment Sales and Assembly.....	56
§ 190-32.	Bridges, Private, Which Cross Tidal Waters	56
§ 190-33.	Building Supply and Lumber Yards with Outside Storage	56
§ 190-34.	Cemeteries and Mausoleums/Columbarium, Non-Church-Related, for Humans and Animals and Family Cemeteries	57
§ 190-35.	Churches and Related Cemeteries	57
§ 190-36.	Community and Cultural Facilities.....	57
§ 190-37.	Compounding Industries (permanent)	58
§ 190-38.	Contracting and Maintenance	58
§ 190-39.	Cottage Industry.....	58
§ 190-40.	Day-Care Center, Family	59
§ 190-41.	Dwelling, Accessory Apartment.....	60
§ 190-42.	Dwelling, Accessory, in the RC District.....	60
§ 190-43.	Dwelling, Accessory to Agricultural Use	60
§ 190-44.	Dwelling, Seasonal Agricultural Employee.....	61
§ 190-45.	Dwelling, Employee	61
§ 190-46.	Dwelling, Guest House	62
§ 190-47.	Dwelling, Rehabilitation	62
§ 190-48.	Dwelling, Single-Family (detached).....	62
§ 190-49.	Dwelling, Single-Family (duplex)	63
§ 190-50.	Educational Institutions, Public or Private, Boarding and Non-Boarding.....	63
§ 190-51.	Emergency Services.....	63
§ 190-52.	Farm Equipment Service and Repairs	64

§ 190-53.	Farm Machinery and Supplies Sales.....	64
§ 190-54.	Farm Market	64
§ 190-55.	Golf Courses and Country Clubs (public or private).....	64
§ 190-56.	Grain processing, drying and storage (wholesale commercial).....	64
§ 190-57.	Greenhouse and Plant Nursery (retail).....	64
§ 190-58.	Greenhouse and Plant Nursery (wholesale).....	64
§ 190-59.	Home Occupations.....	65
§ 190-60.	Hospital	66
§ 190-61.	Hotel/Motel.....	66
§ 190-62.	Inn	67
§ 190-63.	Junkyard.....	67
§ 190-64.	Kennel, commercial	67
§ 190-65.	Landing Strips, Private	67
§ 190-66.	Livestock Auction House.....	67
§ 190-67.	Manufacturing Operations	68
§ 190-68.	Marinas	68
§ 190-69.	Meeting Halls and Facilities for Clubs, Lodges and Fraternal Societies	68
§ 190-70.	Mineral Extraction	69
§ 190-71.	Monuments and Memorial Stones	70
§ 190-72.	Nursing Homes and Assisted Living Facilities (existing structure)	70
§ 190-73.	Off-Road Outdoor Recreation (Public or Private)	70
§ 190-74.	Parks and Playgrounds (public or private).....	71
§ 190-75.	Piers and Related Boat Facilities (Community and Private)	71
§ 190-76.	Produce Stands.....	73
§ 190-77.	Recreation Facilities, Indoor (commercial or noncommercial)	73
§ 190-78.	Recycling, Product.....	74
§ 190-79.	Recycling Processing Center	74
§ 190-80.	Restaurants, Bars and Night Clubs	74
§ 190-81.	Restoration of boats, vehicles and furniture	74
§ 190-82.	Retail, General	75
§ 190-83.	Retail, Major	75
§ 190-84.	Retail, incidental	79
§ 190-85.	Roadside Vendors	79

§ 190-86. Satellite Dishes	80
§ 190-87. Sawmills.....	81
§ 190-88. Scrap Metal Processing.....	81
§ 190-89. Septage Treatment Facilities.....	81
§ 190-90. Septic Systems	81
§ 190-91. Services, General	81
§ 190-92. Services, Professional	81
§ 190-93. Short Term Rental.....	82
§ 190-94. Solid waste disposal facilities	82
§ 190-95. Solid Waste Transfer Stations.....	83
§ 190-96. Stables, Accessory to Residential Uses	83
§ 190-97. Stables, Riding, Trails and Horse Boarding (commercial).....	83
§ 190-98. Storage of inoperable or unregistered motor vehicles accessory to a dwelling.	83
§ 190-99. Studios for Instruction in Art, Music, Dance, Drama, Crafts or Physical Education	83
§ 190-100. Temporary Uses	84
§ 190-101. Utility Facilities, Nonessential.....	85
§ 190-102. Vehicle and Boat Parking and Storage (commercial).....	85
§ 190-103. Warehouse, self-storage.....	85
§ 190-104. Water-Oriented Public Recreation, Education, Research Areas.....	85
§ 190-105. Wireless Communication Towers.....	86
Article IV Floating and Overlay Zoning Districts	95
§ 190-106. Manufactured Home Development Floating District - MHD.....	95
§ 190-107. Affordable Housing Floating District - AH	99
§ 190-108. Historic District Overlay District.....	102
§ 190-109. Historic Rehabilitation Overlay District - HRO	105
§ 190-110. Gateway Overlay District (GD).....	110
§ 190-111. Easton Airport Overlay District.....	115
§ 190-112. Buffer Management Area Overlay District - BMA	116
Article V Development Standards	117
§ 190-113. Structure height.....	117
§ 190-114. Supplemental setbacks	118
§ 190-115. Road frontage, access, dedication and layout	119

§ 190-116. Location of sewage disposal areas.....	121
§ 190-117. Contiguous lots treated as one lot for zoning purposes	121
§ 190-118. Accessory uses and structures.....	122
§ 190-119. Use of mobile homes and recreational vehicles.....	124
§ 190-120. Sidewalks and streetlights.....	124
§ 190-121. On-site circulation.....	124
§ 190-122. Landscaping requirements for site plans	125
§ 190-123. Buffers – streams and non-tidal wetlands - Non-Critical Area	127
§ 190-124. Threatened and endangered species habitat - Non-Critical Area	129
§ 190-125. Noise standards	129
§ 190-126. Outdoor lighting.....	130
§ 190-127. Subdivision design.....	130
§ 190-128. Off-street parking.....	133
§ 190-129. Other requirements	142
Article VI Critical Area.....	142
§ 190-130. Intent and Purpose	142
§ 190-131. Applicability	143
§ 190-132. Prohibited Uses	143
§ 190-133. Agricultural uses	143
§ 190-134. Forestry activities.....	146
§ 190-135. Stormwater.....	151
§ 190-136. Lot Coverage.....	152
§ 190-137. Tributary Stream Management	153
§ 190-138. Habitat Protection Areas, Habitat Protection Plans	154
§ 190-139. Shoreline Development Buffer	154
§ 190-140. Nontidal wetlands	156
§ 190-141. Threatened and Endangered Species; Species in Need of Conservation.....	157
§ 190-142. Plant and Wildlife Habitat Areas	157
§ 190-143. Anadromous Fish Propagation Waters	159
§ 190-144. Shoreline Stabilization Measures.....	160
§ 190-145. Erosion and Sediment Control	161
§ 190-146. Buffer Management Areas.....	162
§ 190-147. Supplemental findings and requirements for water-dependent facilities.....	164

§ 190-148. Usable water area, harbor line, lateral lines.....	165
Article VII Signs.....	169
§ 190-149. Permit required	169
§ 190-150. Other sign requirements.....	169
§ 190-151. Signs excluded from regulation	169
§ 190-152. Permit exemptions and regulations for certain temporary signs.....	171
§ 190-153. Defining the number of signs.....	173
§ 190-154. Computation of sign area.....	173
§ 190-155. Area of wall signs	173
§ 190-156. Number of freestanding signs	174
§ 190-157. Area of freestanding signs	175
§ 190-158. Subdivision and multifamily development entrance signs.	175
§ 190-159. Location and height requirements.....	175
§ 190-160. Sign illumination.....	176
§ 190-161. Prohibited signs.....	176
§ 190-162. Construction and maintenance of signs	176
§ 190-163. Nonconforming signs.....	177
Article VIII Nonconforming Lots, Structures and Uses	178
§ 190-164. General.....	178
§ 190-165. Boathouses and other structures located over water.....	179
§ 190-166. Certification of nonconforming status	179
§ 190-167. Nonconforming uses	179
§ 190-168. Nonconforming lots	181
§ 190-169. Nonconforming structures	182
Article IX Administration	185
§ 190-170. General application and review procedures.....	185
§ 190-171. Fees	187
§ 190-172. Public Notice.....	187
§ 190-173. Procedures for text amendments and other County Council applications	189
§ 190-174. Amendments to the official zoning maps	191
§ 190-175. Text amendments to Critical Area provisions	192
§ 190-176. Applications for use of growth allocation in the Critical Area.....	193
§ 190-177. County Council Permit for Solid Waste Disposal Facilities.....	202

§ 190-178. General procedures for Board of Appeals applications	203
§ 190-179. Administrative appeals	203
§ 190-180. Special exceptions.....	203
§ 190-181. Reasonable accommodation for the needs of disabled citizens.....	205
§ 190-182. Variances	207
§ 190-183. Use Certificates.....	210
§ 190-184. Site Plans.....	210
§ 190-185. Developer agreements.....	216
§ 190-186. Waivers	217
§ 190-187. Short-Term Rental Licenses	218
§ 190-188. Enforcement.....	220
Article X Procedures for Subdivision of Land	221
§ 190-189. Major and minor subdivisions	221
§ 190-190. General procedures for review of subdivision plans	222
§ 190-191. Master plans	224
§ 190-192. Review of subdivision plans by the Historic Preservation Commission	225
§ 190-193. Sketch plan procedures	225
§ 190-194. Preliminary plat procedures	227
§ 190-195. Final plat procedures.....	229
§ 190-196. Revision plats.....	232
§ 190-197. Division of land for conservation or future development purposes.....	234
§ 190-198. Reserved land agreements and reservation of development rights agreements	235
§ 190-199. Maintenance and completion of public and private improvements	236
§ 190-200. Common space and private subdivision improvements	236
§ 190-201. Survey markers	238
§ 190-202. Conformance to applicable rules and regulations.....	238
§ 190-203. Subdivision straddling jurisdictional boundaries.....	239
§ 190-204. Subdivision name.....	239
Article XI Definitions	239
§ 190-205. Rules of construction	239
§ 190-206. Standard meaning for terms not defined.....	239
§ 190-207. Critical Area terms.....	239
§ 190-208. Definitions	240